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Report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani

Addendum

Mission to Haiti*

Summary

The Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, conducted an official mission to Haiti from 29 June to 5 July 2014, at the invitation of the Government and pursuant to his mandate under resolution 23/8 of the Human Rights Council. The objective of the visit was to examine the human rights situation of internally displaced persons (IDPs) in the country following the earthquake that hit Haiti on 12 January 2010.

The Special Rapporteur called for a transition from a largely humanitarian approach to a development rights-based approach, and for durable solutions for the IDPs along with the vulnerable segments of the population. A durable solution is achieved when IDPs no longer have specific assistance or protection needs linked to their displacement and can enjoy their human rights without discrimination resulting from their displacement. The Special Rapporteur stressed that the closure of IDP camps, to which the Government of Haiti has given priority, does not mean that durable solutions for them have been found.

One of the main obstacles in the search for durable solutions in Haiti remains the extreme poverty from which a large portion of the population suffers and which particularly affects those displaced by the earthquake. He also notes that the absence of a protection-sensitive approach to the issue of displacement, the lack of coherent urban planning and of a cadastre, and the instability which remains, in part due to poor rule of law, are major

* The summary of the present report is being issued in all official languages. The report itself, contained in the annex to the summary, is being issued in the language of submission and French only.

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obstacles to durable solutions for IDPs. The Special Rapporteur insists on the importance of putting IDPs at the heart of the decisions affecting them.

Annex

[English and French only]

Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Haiti (29 June–5 July 2014)

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I. Introduction

1. In accordance with his mandate under Human Rights Council resolution 23/8 and at the invitation of the Government of Haiti, the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, conducted an official visit to Haiti from 29 June to 5 July 2014. The objective of the visit was to make a full assessment of the human rights of those who had been internally displaced after the earthquake which hit Haiti in January 2010, and to build on the assessment made by the previous mandate holder, who visited Haiti in November 2010.

2. The Special Rapporteur met with the Adviser to the President; the Minister of Justice, the Minister Delegate for Human Rights and the Fight against Extreme Poverty; the Special Representative of the Secretary-General and Head of Mission, United Nations Stabilization Mission in Haiti (MINUSTAH); the Interministerial Committee for Human Rights; the Director of the Civil Protection Department; the Unit for Construction of Housing and Public Buildings (UCLBP); and the Direction Nationale de l'Eau Potable et de l'Assainissement (DINEPA). During his mission, he also met with the United Nations humanitarian and country teams, the Protection, Camp Coordination and Camp Management Clusters and of civil society representatives. He visited IDP camps and sites and met with IDPs in Port-au-Prince and surrounding area, including Radio Commerce (Cité Soleil), Maurice Bonnefil, Bill Gates, Carradeux, St. Etienne and the Canaan neighborhood in the metropolitan area of Port-au-Prince.

3. The Special Rapporteur expresses his sincere gratitude to the Government of Haiti for its full cooperation. He is also grateful to all his interlocutors, especially IDPs who kindly shared their experiences and individual perspectives with him. He looks forward to a fruitful and continued dialogue with the Government and other stakeholders on the implementation of the recommendations contained in the present report.

4. The visit was ably coordinated by the Human Rights Section of MINUSTAH. The Special Rapporteur is grateful for all the logistical, administrative and substantive support he received, which facilitated the conduct of the visit. He would also like to thank the Special Representative of the Secretary-General for her support and the United Nations country team for their informative briefings and advice.

5. The findings of the present report bring to bear a particular focus on the impact of the earthquake on IDPs and the sites they live in, in the metropolitan area of Port-au-Prince.[1]

II. Causes and current situation of internal displacement in Haiti

A. Recent causes of internal displacement

6. As a result of the earthquake that hit Haiti on 12 January 2010, an estimated 105,000 houses were destroyed and over 188,000 were badly damaged, causing unprecedented internal displacement. At the peak of the crisis, an estimated 1.5 million IDPs were living in 1,555 camps in the Port-au-Prince metropolitan area and in and around secondary cities to

[1] The metropolitan area of Port-au-Prince includes Port-au-Prince and five other municipalities, including Cité Soleil, Tabarre and Croix des Bouquets, where Canaan is in part located.

the south. In addition to IDPs in camps, an estimated 630,000 IDPs went to live with host families in various locations around the country or to neighbouring countries, including the Dominican Republic and the United States of America.[2]

7. An estimated 80 per cent of those who lost their homes had either rented their accommodation or had de facto occupancy rights without formal ownership rights. Others, who might not have lost a home, especially Haitians living in extreme poverty, were affected in less visible ways. As those affected lost their jobs and livelihood opportunities, rent became unaffordable owing to the sudden imbalance in supply and demand, and education and health care became inaccessible as public infrastructure was destroyed. Generally speaking, IDPs without shelter remained in and around their original neighbourhoods, which has had significant implications for early recovery, reconstruction and development planning.

8. In March 2010, the Government decreed that 7,450 hectares of land to the north of the metropolitan area of Port-au-Prince were to be taken by eminent domain and used to relocate victims of the earthquake, to facilitate the decongestion of specific areas of Port-au-Prince. International actors began development of two sites in those surrounding and peri-urban areas for the relocation of almost 10,000 IDPs from camps inside Port-au-Prince considered to be at high risk from flooding or other natural hazards. Those sites began as planned tent camps, and, by early 2011, all relocated IDPs had moved into transitional shelters. Around the same time, large-scale population movements began from Port-au-Prince and other areas towards the newly appropriated land, with many hoping that it would be an opportunity to be able to own, or at least occupy, available land. Those areas, known as Canaan, Jerusalem, and Onaville, became home to large numbers of informal settlers, of which an unknown number were former residents of Port-au-Prince IDP camps. Some of those IDPs had been evicted from camps; others had probably received assistance such as rental subsidies, and used portions of their subsidies to construct more permanent dwellings.

9. In addition, Haiti faces the Caribbean hurricane season (1 June–30 November), which poses a serious safety hazard for IDPs sheltered only by tarpaulins and tents. Two major hurricanes in 2012 significantly affected recovery efforts and exacerbated existing challenges. Extreme congestion also creates additional fire and public health hazards.

B. Current situation of internal displacement[3]

10. At the end of 2013, 90 per cent of the population displaced by the earthquake had left camps, mostly as a result of return and relocation programmes implemented by the Government, the United Nations and non-governmental organization (NGO) partners. As of 30 June 2014, according to the International Organization for Migration (IOM), the total number of IDPs in camps amounted to 103,565 (28,143 households) in 172 camps/sites.

11. The Special Rapporteur was informed that, in the first semester of 2014, a quarter of the camps were reoccupied, and increased in size following the return of at least 78 per cent

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[2] Angela Sherwood and others, "Supporting Durable Solutions to Urban, Post-Disaster Displacement: Challenges and Opportunities in Haiti" (Brookings Institute, International Organization for Migration, 2014), p. 23.

[3] Most of the information provided below comes from information compiled by the Office of the High Commissioner for Human Rights (OHCHR)-MINUSTAH in their biannual report, available from "La protection des droits humains des personnes déplacées internes en lien avec le séisme de 2010 (Janvier–Juin 2014)", available from http://reliefweb.int/report/haiti/la-protection-des-droits-humains-des-personnes-d-plac-es-internes-en-lien-avec-le-s.

of IDPs who, after a year of enjoying rental subsidies, were unable to continue paying their rent and therefore decided to return to the camps. He was also concerned at testimonies from IDPs he met during the visit revealing that the neighbourhoods they had settled in would soon be vacated to be rehabilitated. Those IDPs feared being subjected to secondary displacement with no alternative housing and no prior notification. That was the case, for example, of the "Cité Administrative" in central Port-au-Prince.

12. The IOM Displacement Tracking Matrix of June 2014 indicates that, since the earthquake, just over 249,747 households left the camps spontaneously; over 69,192 households left because they had accessed alternative housing or other assistance; and over 14,444 households were forcibly evicted. There was also significant movement into and between camps, primarily for economic reasons, such as lack of livelihood opportunities and inability to pay rent (the great majority of Port-au-Prince residents were renters before the earthquake). Some camps progressively took on features of the surrounding impoverished areas (including informal settlements), and in some cases became indistinguishable from them. In the first half of 2014, 99 camps closed, 95 following payment of rental subsidies to the IDPs concerned; another 3 camps closed further to the spontaneous departure of their residents, and the remaining camp (Camp Kios Pelé) closed at the beginning of May 2014 following the departure of its IDPs, fleeing from criminal gang activities.

13. About 75 per cent of IDPs live on private land. Therefore, the risk of forced eviction remains a critical concern as land owners increasingly try to recover their properties. The Government has still to present a plan to effectively address the claims and conflicting rights both of private owners and of the IDPs, who are some of the most vulnerable Haitian citizens.

III. Framework for the protection and assistance of internally displaced persons

14. Immediately after the earthquake, the Government, itself severely affected by the disaster, received unprecedented support from the international community to respond to the crisis. IDPs were grouped in IDP camps, very often only a few metres away from their original homes. Those camps were managed by the agencies within the Camp Coordination and Camp Management (CCCM) cluster.

A. International response

15. Under the coordination of the CCCM and Shelter Clusters, housing was provided to IDPs as follows: the provision of T-shelters, i.e. medium-term shelters lasting 3–5 years (10 years in some cases); Yellow House repairs, i.e. rehabilitation of damaged houses; permanent housing reconstruction, i.e. construction of new houses to replace demolished houses (permanent housing reconstruction in general has been hindered by land tenure issues); and rental support cash grants, i.e. the provision of rental subsidies to allow beneficiaries to rent a property of their choice for a year.[4]

16. Four years after the earthquake, the humanitarian focus has begun to transit to longer-term development engagement with the United Nations country team. As of the end of 2013, OHCHR was tasked by the United Nations Resident Coordinator to be the United

[4] The impact of the various housing solutions and whether they can offer long-term solutions for IDPs is developed in a chapter of the report on durable solutions for IDPs (see chapter V below).

Nations system focal point on the issue. The continuation of clusters in the context of protracted transition was pursued, following the Humanitarian Coordinator's decision to extend the life of the cluster system until the end of 2014.

17. The Special Rapporteur commends the commitment of IOM in Haiti. At present, IOM leads the CCCM Cluster and is a key actor in IDP camp management. In addition to camp management, IOM has, with the support of donors such as Canada and the European Humanitarian Aid and Civil Protection Department (ECHO), been extensively engaged in the rental subsidy scheme. It has also engaged in related issues such as camp integration and worked with municipalities and the national police, in coordination with OHCHR and MINUSTAH/the United Nations Police (UNPOL) to prevent forced evictions of IDPs living in camps.

18. The Special Rapporteur was impressed with the work done by UN-Habitat, which has worked to put its Sustainable Relief and Reconstruction Framework into practice, advocating for recovery solutions from the start, with a development perspective in mind. It stands out as an example of best practice. The strategy prioritized safe return of IDPs to the affected neighborhoods rather than prolonging the existence of temporary camps. UN-Habitat has also launched a project "From Camp Transformation to Urban Revitalization" aimed at upgrading existing camps with the necessary retrofitting and access to basic services to guarantee durable solutions (CATUR project). The Special Rapporteur considers such projects to be innovative in providing solutions for IDPs who have lived a few years in those camps, have created ties and are therefore reluctant to move elsewhere. UN-Habitat, inter alia, is also supporting the Government in its efforts to adopt a comprehensive housing policy.[5]

19. The Special Rapporteur observed the commitment of the United Nations country team in developing, with the support of other stakeholders, an integrated strategic plan for the United Nations presence in Haiti from 2013 through 2016. He also commends the efforts made by the Office of the United Nations High Commissioner for Refugees (UNHCR), which has a programme aimed at facilitating the provision of documentation for IDPs and supporting the reform of the civil registry to mitigate the risk of statelessness.

20. The Special Rapporteur commends the presence and active involvement of development actors such as the World Bank and the Inter-American Development Bank, which implement programmes that also target IDPs. The World Bank has published a recent assessment of the Rental Support Cash Grant programmes, to learn the lessons from the rental subsidy programmes as applied in Haiti. The Inter-American Development Bank informed the Special Rapporteur of the Bank's involvement in incentive projects aimed at inciting IDPs to relocate to the countryside through agricultural projects.

21. A number of NGOs, including Catholic Relief Services, Médecins Sans Frontières (MSF), Handicap International, HelpAge International, CARE, Médecins du Monde, Oxfam and Action contre la Faim (ACF), continue to be active in assessing the basic needs of IDPs remaining in camps and providing them with those essential services (in coordination with DINEPA) despite drastic reductions in international funding and the Government's announced intention to shift its attention away from IDP camps.

B. Domestic response

22. In Port-au-Prince, most camps, which were supposed to be temporary, were simply built on land owned by private entities/individuals or owned by a particular municipality of

[5] That housing policy is yet to be shared with the Special Rapporteur and other stakeholders.

the capital. As stated above, the Government exercised its powers of eminent domain to make a swath of land north of Port-au-Prince available for the resettlement of earthquake victims. That area was situated in Croix-des-Bouquet and saw a number of informal settlements, the best known being Canaan. The Government's initiative raised a number of controversies: the procedure declaring the area public domain and transferring its status as public property was not fully compliant and thus gave rise to claims for compensation or return by a number of private owners;[6] the area is located in a seismic zone, between the sea and hills, which makes it vulnerable to disasters; earthquake victims were trained on how to construct their own houses and settled where they wished, without an urban planning strategy. As a result, a full parallel system was set up in Canaan on an ad hoc basis, including private schools, poor drainage systems and ill-equipped health-care facilities, which were outside government control. During his visit to the site, the Special Rapporteur observed the rapid informal growth of Canaan. He encourages the Government to take ownership and regain leadership of Canaan and make the site part of an overall urban development planning strategy for Port-au-Prince.

23. For many, the earthquake was seen as an opportunity to "build back better" and therefore address mistakes from the past: lack of urban governance, institutional weaknesses and a lack of urban planning, inter alia. In 2012, the Government launched a global reconstruction plan of action aimed at solving insecurity of tenure, environmental degradation and improving urban planning. Almost five years after the earthquake, planned reconstruction has yet to happen, in a coherent manner, on the basis of a comprehensive strategy. During his visit, the Special Rapporteur noted the absence of a comprehensive plan of action to provide all stakeholders, international and national, and IDPs, with a common understanding of the way forward. He noted however that positive steps had been taken in that direction. Those steps are described below.

24. The Government has empowered two executive agencies to deal with Housing Law and Property issues. The Inter-ministerial Committee on Land Use Planning took on the development of a cadastre system, working in cooperation with the Inter-American Development Bank, mostly in rural areas. The aim of UCLBP is to coordinate and implement public construction and housing policies; encourage private investment for the reconstruction of areas damaged by the earthquake and lead the post-earthquake reconstruction strategy.

25. UCLBP launched its 16/6 programme in August 2011. The project envisioned the selection of 16 poor neighbourhoods of Port-au-Prince, which were particularly affected by the earthquake and which the Government would rehabilitate while facilitating the return of IDPs originally from those neighbourhoods. The Government determined that 80 per cent of the IDPs living in the six selected camps came from those 16 neighbourhoods. Upon return, IDPs would either reconstruct or repair their damaged houses or rent a house with the support of the rental subsidies mechanism. Importantly, that mechanism aimed at strengthening tenure security for renters by ensuring that recipients moved into properties that met minimum safety standards, raising awareness of renters' rights, and by requiring the signing of a formal lease.[7] The 16/6 programme also aimed at strengthening a sense of community in neighbourhoods by facilitating the population's access to basic services and the creation of job opportunities. Local governance mechanisms were also established.[8]

[6] The procedure for declaring the area public domain seems to have been respected. However, the subsequent steps as a result of which the property should indeed have been transferred from the private landlords to the State (incl. after proper compensation) seems not to have been followed.

[7] Brookings-IOM study (see footnote 2), pp. 50–51.

[8] Information provided by UCLBP during the Special Rapporteur's visit.

26. The Government also launched the Support Programme for the Housing Sector Action Plan with the support of the Inter-American Development Bank with the main objective of helping improve the quality of life of low-income families affected by the earthquake, providing them with housing to meet their essential needs of accommodation and security, and to establish a framework for planned housing development. The Government further provided 500 million gourdes for the "Kay Pam" (my house) programme of bank loans for housing. A programme which started in 2011 to build 3,000 housing units for earthquake victims is still running.

27. The Special Rapporteur is also encouraged by the establishment of sectoral tables on housing and disaster risk reduction, which can certainly improve coordination for national and international funding and programming in those sectors.

IV. Specific rights and issues of concern for internally displaced persons

28. The Special Rapporteur makes the case for the need for a comprehensive profiling exercise for the overall displaced population, the location of those IDPs, both in and outside camps, and their specific needs. He considers the absence of such profiling and needs assessment (with disaggregated data) to be a handicap to formulating evidence-based, durable solutions, having regard to the causes and magnitude of internal displacement (i.e. the earthquake and other causes of displacement) and, most importantly, their consequences on the human rights of IDPs. While some stakeholders such as the Brookings-IOM study supporting the search for durable solutions in Haiti, have attempted to present a snapshot of internal displacement, the Special Rapporteur encourages the idea of a Government-led assessment, supported by international and national stakeholders, aimed at determining the extent to which durable solutions can be found for IDPs in Haiti. An exhaustive assessment of that type would be the first step towards achieving durable solutions.

29. At the beginning of 2014, 60.9 per cent of surveyed households displaced by the earthquake reported that their overall living conditions had worsened since the earthquake, compared to 38.9 per cent of households who did not have to leave their homes. Sixty-seven (67) per cent of displaced households indicated that they currently lacked the means to provide for their basic needs, compared to 43 per cent of households not displaced.

30. While IDPs and the most vulnerable segments of the urban population of Port-au-Prince may face many similar challenges, the Special Rapporteur considers that IDPs continue to have specific needs and face specific challenges related to their displacement. They are a consequence of the extensive physical destruction, the large-scale nature of the displacement crisis, the limited accessibility of urban land, and the lack of livelihood opportunities that have affected IDPs and have hindered durable solutions for them. Many of the socio-economic factors underlying exposure to displacement in the first place are factors that also inhibit the durable resolution of displacement. Those challenges have put certain IDPs at high risk of recurrent patterns of forced eviction, homelessness, disaster-related displacement, and extreme poverty.[9]

A. Right to adequate housing

31. Before the earthquake, Haiti was already witnessing a lack of urban planning, lack of a cadastre, inequalities, corruption and weaknesses in the rule of law, and rapid growth

[9] Brookings-IOM study (see footnote 2), p. 2.

in the urban population partly due to rural exodus. The lack of security of tenure in Haiti was exacerbated by the magnitude of the earthquake and the damage caused. Additionally, the poor quality of constructions increased inhabitants' vulnerability to the earthquake and will continue to make them vulnerable to any cyclical natural hazard (most people in Haiti build their own houses and do not buy them; the quality of the material used depends on each individual's resources). The national authorities should be involved to regulate the quality of individually constructed houses and ensure that they meet minimum requirements, including those related to disaster risk preparedness.

32. All stakeholders met during the Special Rapporteur's visit agreed that there was a lack of cooperation between the actors involved, whether State-driven (at national and municipal levels), non-governmental, humanitarian or development-driven. As a result, urban development is dictated by private/individual initiatives driven either by survival instincts or personal enrichment. Although government officials met during the Special Rapporteur's visit assured him that there was a housing policy, the Special Rapporteur has yet to receive a finalized version of that policy. The housing policy is awaited by the bilateral and multilateral development partners of Haiti as a basis for their guidance and engagement with the Government in order to provide the necessary support. It must be shared urgently with humanitarian and development partners.

33. While access to housing is a problem for all in Haiti, the Special Rapporteur notes that displaced families are twice as likely as those not displaced to experience a decline in their housing situation, despite their acute needs.

34. In the aftermath of the earthquake, humanitarian support concentrated on the provision of shelters to IDPs in camps. The vast majority of camps have now been closed. Those remaining form part of the general picture of a complex urban environment. According to IOM, 75 per cent of IDPs live on private land, whether grouped in IDP camps or housed in private accommodation. As a result, a significant number of those IDPs are vulnerable to some forms of eviction. Evictions have taken place in three main ways: IDPs evicted from IDP camps; IDPs evicted from informal settlements such as Canaan (Port-au-Prince metropolitan area); and IDPs evicted as a consequence of the development of infrastructure projects (for instance Mer Frappée). Owing to a lack of progress in finding alternative solutions for the camps, many landowners afraid of losing their land have exerted pressure on IDPs to leave. Some have paid IDPs small sums to move but without offering alternative land, effectively shifting the problem elsewhere. Some evictions have been carried out by way of threats and the use of illegal violence, by gangs, and, in some reported cases, by municipal and/or police officers. Senior government officials have reportedly engaged discreetly with private landowners to lessen eviction pressures. The Minister of Justice acknowledged the concern and the message of the Special Rapporteur to halt illegal evictions, citing weak legal procedures and judicial institutions.

35. When evictions first emerged as a concern, the United Nations and the Protection Cluster, inter alia, urged the Government to adopt a policy on responding to attempted evictions, by imposing an initial moratorium until a comprehensive plan to relocate the camps was devised. The Government rejected the call for a moratorium, with senior officials arguing that it would not have the power to enforce a moratorium in relation to illegal evictions. Nonetheless, forced evictions were prevented as a result of the Protection Cluster partners' mediation with landlords; guidance given to the implementing partners on applicable standards and the legal framework; technical advocacy with a judge on due process and international standards on forced evictions; facilitation of increased UNPOL patrolling; or active advocacy with national counterparts including UCLBP, the Minister Delegate for Human Rights and/or the Minister of Justice and Public Security.

36. The Special Rapporteur deplores the fact that, according to the information he received following his visit, on 15 July 2014, 146 households were forcibly evicted from a

settlement called "Camp Comité des Jeunes pour le Développement de Ti trou" (Debussy/Turgeau) based in Port-au-Prince municipality. On 8 August 2014, Camp Téléco sans fil (Delmas 18) was entirely demolished, forcibly displacing 400 families. At the time of writing, a number of other sites in the municipality of Port-au-Prince were also under threat of forced eviction. The forced evictions occurred after the Government authorities decided to change the eligibility criteria for being considered an IDP. Since the beginning of September 2014, only those who were registered as such in 2010 would fall under the government definition of an IDP and be able to benefit from government relocation programmes such as the rental subsidy scheme. As a result, an estimated 20,000 households may be deprived of their right to a durable solution and, more dramatically, be arbitrarily displaced for a second time. The Special Rapporteur expresses his utmost concern and urges the Government to review its policies to ensure that all those who have been displaced following the earthquake or as a consequence of the earthquake are provided with durable solutions and do not experience secondary displacement within Haiti.

37. The Special Rapporteur advises putting legal assistance upfront to secure land tenure. All IDPs should be adequately informed before any decision affecting their housing rights is taken and should participate in such decisions. He encourages civil society representatives he met during his visit, as well as other international and national stakeholders, to advocate for official consultation with IDPs and their participation in seeking to achieve durable solutions.

B. Employment and livelihood opportunities

38. In 2012, the general observation was that, despite progress made in rebuilding Haiti, the country's reconstruction and development required a sustained effort in moving from emergency assistance to development in order to create new opportunities for the Haitian population. The Special Rapporteur notes that such a transition is yet to happen and must be planned. He notes with satisfaction that inclusive efforts to eliminate extreme poverty and bring about development in Haiti to benefit all, including IDPs and the other most vulnerable segments of the population, remain a priority for the Government and development actors.

39. The informal sector is still a strong magnet, attracting the majority of the Haitian workforce. Mostly made up of unregulated micro and small businesses, the informal sector pays low salaries and provides precarious working conditions, a reflection of low productivity and "lack of economies of scales", according to experts.[10] In the IDP camps visited by the Special Rapporteur, all IDPs spoken to mentioned that their involvement in informal business was their main source of revenue, in addition to the assistance provided by humanitarian actors.

40. Whether they had left or were still in camps, some IDPs linked their specific livelihood problems to a loss of productive assets during the earthquake. According to survey data, IDP households were almost four times more likely to report a loss of productive assets than other households (8.1 per cent compared with 2.5 per cent); the majority spoke of the loss as a consequence of the collapse of houses due to the earthquake. In those cases, the destruction of homes directly involved a loss of livelihoods as well.

41. Some IDPs point to a problematic relationship between job access and transportation. Those who have been relocated—now residing away from pre-earthquake neighbourhoods—sometimes lack transportation to city centres in order to work. This IDP-

[10] See www.worldbank.org/en/news/feature/2012/11/05/business-haiti-recovery-jobs.

specific concern over transportation was confirmed by the survey results, which found that IDP households (12.5 per cent) were twice as likely as other households (4.5 per cent) to express discontent over their access to transportation.[11] To address part of the problem, the Special Rapporteur encourages livelihood opportunities and training of IDPs where they are settled, whether in camps or in neighbourhoods. In both cases, those opportunities should be shared with host populations and displacement-affected communities in the neighbourhoods with a view to creating cohesion and a sense of community and ownership in the general development of urban areas.

C. Access for IDPs to basic services, including health

42. Since 2012 in particular, a continuing decline in access for IDPs in camps to basic services, in the context of the reduction in international humanitarian funding and NGO presence, has further weakened the situation of those IDPs most in need. The Special Rapporteur particularly deplores declining support in meeting the remaining needs of IDPs and welcomes the efforts made by government (including DINEPA) and non-government actors to maintain increased cooperation within the Water, Sanitation and Health sector (WASH), which has helped those most in need. Their involvement is all the more important in the light of the efforts made to link protection and WASH issues and strengthen IDP resilience, including through community-based involvement.

43. In 2014, the sanitary situation in camps worsened: 43 per cent of IDP camps were reported to have no latrines at all; in camps with latrines, the ratio is 106 persons per latrine; and 25 per cent of IDP camps have no sewage disposal system. None of the IDP camps has garbage/waste management systems and 57 per cent of IDP camps have been built on slopes.[12]

44. The difficulties related to poor access to water and sanitation directly impact hygiene and health conditions in camps, including in relation to the cholera epidemic. Lack of adequate reproductive health care is another aggravating factor, along with an increase in incidents of violence inside households and within the IDP community as a whole.[13] Those deplorable conditions and the lack of prospects mentioned by some IDPs met during the Special Rapporteur's visit explain the increase in violence, health deterioration, poor access to education, and impediments to other basic needs of IDPs, especially those of women.

45. The Special Rapporteur was alerted to the severe food insecurity which, while having been reduced from 1.5 million people affected in early 2013 to 600,000 by the end of 2013, remains high. A survey jointly organized by IOM/ACF on IDPs living in Carrefour, Port-au-Prince, in March–April 2014, revealed that those IDPs who had lived for the past four years in IDP camps faced increased social exclusion, isolation and feelings of uncertainty, with limited prospects for the future. The survey also shows that the global malnutrition rate has reached 12.50 per cent among IDPs. In addition, only 3 per cent of the women interviewed by IOM and ACF reported good breastfeeding practices and only 3 per cent of households surveyed by the same NGOs reported adequate hygiene practices.[14]

[11] Brookings-IOM study (see footnote 2), pp. 36–37.

[12] Information provided in a handover note to the Special Rapporteur by CARE during his visit.

[13] ACF Assessment on nutritional practices of IDPs in Camps: *"Evaluation sur les pratiques de soins nutritionnelles des populations vulnérables des camps de déplacés internes"*, 20 Mars–19 avril 2014, ACF-IOM, p. 17.

[14] Ibid, p. 17.

46. During his visit, the Special Rapporteur observed the critical health situation of a number of IDPs in the camps he visited.[15] There is a lack of health structures for camps, either due to IDPs' lack of financial resources to access private health care facilities and/or to pay for medicine prescribed in public health centres. However, according to the ACF study, in the event of an emergency, communities organize themselves and financially support the purchase of medicine for, and transportation to, the nearest health facilities. IDP communities were found to have a good knowledge of preventative measures against cholera, which remains an issue despite a decrease in the number of declared cases in the past year, but lacked awareness of other disease prevention measures. For instance, only a quarter of households visited possessed mosquito nets,[16] which are useful in preventing the debilitating chikungunya mosquito-borne virus.

47. The Special Rapporteur was impressed by the priority given by the IDPs whom he met to the education of their children. In Maurice Bonnefil, the Special Rapporteur met with a young woman who had two children and who spent all she earned to ensure they would have access to a private school outside the IDP camp. According to ACF, in certain camps, children do not go to school owing to their parents' lack of financial resources or to a lack of available free schools in the vicinity of those camps.[17]

D. Registration and documentation

48. According to the Haitian National Archives, approximately 2 million Haitians need documentation. Since many undocumented Haitians have fled the county, there is a high risk that some of them may become stateless.[18]

49. The humanitarian community has progressively devoted more attention to documentation challenges, strengthening the base for approaching transitional and durable solutions. For example, during the implementation of rental subsidy programmes, stakeholders systematically observed that undocumented families were unable to receive their cash grants from participating banks. "Provide documentation to IDPs to facilitate socio-economic integration" has been identified as a goal within the United Nations 2014 Haiti Strategic Response Plan. That objective complements government efforts to improve Haitians' access to personal documentation, including through a programme supported by the Organization of American States (OAS) to modernize the Haitian civil registration system.[19]

50. Surveys show the strong association between displacement and the loss of documentation, with 21.1 per cent of displaced households reporting the loss of documents as a result of the earthquake in comparison with 7.7 per cent of other households.[20] Few families within either group have received assistance from the Government to recover lost documents, NGOs or international organizations. Replacement of lost documentation for displaced families was facilitated by efforts such as a UNHCR-funded programme in 2011

[15] MSF Belgique noted that the critical health situation is acute even outside camps.

[16] ACF Assessment on nutritional practices of IDPs in Camps by the International Organization for Migration (see footnote 13), p. 17.

[17] Ibid., p. 16.

[18] Human Rights Watch, "World Report 2014: Haiti", available from www.hrw.org/world-report/2014/country-chapters/haiti?page=3; Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2014/162), p. 14.

[19] Brookings-IOM study (see footnote 2), p. 45.

[20] Ibid., p. 44.

through which the Haitian organization Action Citoyenne pour l'Abolition de la Torture (ACAT) assisted 10,000 IDPs with their civil documentation needs.[21]

51. The most common problem identified by displaced and non-displaced families resulting from the loss of personal documentation is hindered access to civil and political rights, namely the ability to participate in public affairs and the ability to vote. Few associated their current lack of documentation with problems in establishing property ownership, buying a property or providing proof of rental agreements. That meshes with the view expressed by IDPs, community members, and other stakeholders that community confirmation of tenure status is the primary way to verify property and housing claims. Nevertheless, some actors did raise the concern that incomplete documentation represents an obstacle to increasing access to housing through formal credit or microcredit mechanisms, which is a central component of the Government's strategy to improve access to housing.[22]

52. The Special Rapporteur is pleased to note that national legislation has been passed to enable access to birth registration free of charge. He notes however that such legislation has yet to be implemented, and advises implementation of that legislation.

E. Rule of law and access to justice

53. Although Government and MINUSTAH reforms have strengthened the Haitian National Police, its institutional capacity still needs to be reinforced. As mentioned by the head of UNPOL, whom the Special Rapporteur met during his visit, the number of police officers trained remains insufficient to meet the rule of law challenges facing Haiti.

54. According to the Brookings Institute study, 19.8 per cent of respondents from displaced households do not feel safe in their current places of residence, compared to 13.9 per cent of respondents from other households. A significant relationship exists between displacement and reduced access to police and security services, with 31.4 per cent of displaced households indicating that they currently lack access to these services, compared to 22.8 per cent of non-displaced households. The vast majority feel that trust amongst neighbours has declined since the earthquake (97.7 per cent of displaced households, 96.8 per cent of non-displaced households).[23] In addition, lack of security in camps has increased vulnerability to sexual violence.

55. Additionally, a lack of accountability for past injustices contributes to Haitians' sense of frustration with their country's justice system. Political actors are said often to disregard their own laws. Impunity, nepotism and other forms of corruption remain widespread.[24] The weakness in the rule of law particularly affects municipalities. When

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[21] Haiti, 2014 UNHCR regional operations profile – North America and the Caribbean, (UNHCR, 2014), available from www.unhcr.org/cgi-bin/texis/vtx/page?page=49e491766&submit=GO#.

[22] Brookings-IOM study (see footnote 2), p. 44.

[23] Human Rights Watch, "World Report 2014: Haiti," (see footnote 18); Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, "Human Rights of Internally Displaced Persons in Haiti: Memorandum based on a Working Visit to Port-au-Prince", 12–16 October 2010, p. 8; Brookings-IOM study (see footnote 2), p. 12; Kim Thuy Seelinger and Laura Wagner, "Safe Haven: Sheltering Displaced Persons from Sexual and Gender-Based Violence — Case Study: Haiti", (UNHCR, Berkeley Law Human Rights Center,), available from www.unhcr.org/51b6c2b29.html, pp. 31–32.

[24] Haiti 2014–2017 Country Note – OHCHR; Haiti ranks 163 out of 177 countries with a score of 19 out of 100 according to Transparency International's Corruption Perceptions Index of 2013. "Haiti," Transparency International, 2014, see www.transparency.org/country/#HTI.

visiting the Radio Commerce camp in Cité Soleil, the Special Rapporteur was told that the municipal board kept changing. Municipal representatives are particularly subject to a number of pressures, including from criminal gangs. Constant changes in authorities adversely impact on a weak rule of law and a sense of insecurity, including in tenure-related issues.

F. Participation in public and political life

56. The postponement of elections originally scheduled for 2011 has undermined the right to political participation.

57. Upon completion of his mission to Haiti, the Special Rapporteur stated that the current election registration exercise should also include IDPs as equal citizens, to ensure they can vote and participate in the public life of the country. That would involve the Government launching a country-wide assessment of the current situation of all IDPs with regard to their personal documentation to ensure that, when elections take place, they are able to vote. The Government should include all IDP camps in its sensitization campaigns to ensure that the people staying there know how to register and how to vote and, if they lack personal documentation such as birth registration or baptism certificates, they are able to obtain them in time, or are exempted from producing them as a condition for voting.

G. Groups with specific needs

58. According to the National Police, as communicated by the United Nations Police (UNPOL), violence against women and girls remains a very worrying problem in Haiti. Physical aggression and domestic violence remain the most widespread forms of violence, while rape allegations have doubled in the first half of 2014 compared to the last semester of 2013. According to IOM, 80 per cent of the incidents against women and girls reported in camps in the first half of 2014 took place inside IDP camps, as compared to 70 per cent in the last semester of 2013. In its report on nutritional practices in camps, ACF notes that gender-based violence is directly linked to non-consensual sexual activities in IDP camps. Other issues were raised during the Special Rapporteur's visit, such as the absence of functioning lighting in some of those camps, which increases the feeling of insecurity and vulnerability of women and girls. The urgent need to establish a systematic collection of data on sexual violence, validated by the Ministry of Women's Affairs and other relevant partners has legitimately been raised and should be followed up.[25]

59. During his visit, the Special Rapporteur found that IDP children, including under-age mothers, were particularly vulnerable to exploitation as domestic workers in families. NGOs working in camps mentioned the absence of safe houses as a problem that needed to be addressed in the provision of specific protection to such children.

60. The Special Rapporteur received a number of concurring testimonies on the particular vulnerability of older persons and persons with disabilities. He commends the support provided by some NGOs such as Handicap International and HelpAge, to the Government and other stakeholders, by making sure that relocation programmes, in particular rental subsidy schemes and reconstruction programmes, took into consideration the specific needs of persons with disabilities and older persons as well.

61. The situation of sexual minorities (lesbian, gay, bisexual, transgender and intersex–LGBTI), especially in IDP camps, was also referred to the Special Rapporteur during his

[25] See biannual report of the Protection Cluster on protection in IDP camps – January–June 2014, p. 12.

visit. Incidents reported included sexual aggressions, physical assault and psychological violence among others.[26] Observers have noted a particular lack of access to shelter protection for members of both sexes, and LGBTI individuals, who had suffered sexual and gender-based violence (SGBV), and HIV-positive individuals.[27] Special protection and provision should be made for those categories of IDPs.

V. Search for durable solutions for internally displaced persons

62. The Special Rapporteur's assessment is that conditions are right for Haiti to transit more formally to a development rights-based approach for the achievement of durable solutions for IDPs. Durable solutions are reached only when the needs related to displacement no longer exist, which is a medium-to long-term complex development-led process for all IDPs and not just those living in camps or sites. Therefore, the closure of camps by itself does not mean that durable solutions for IDPs have been found. In addition, although official figures show a decrease in the number of IDPs from 1.5 million after the earthquake to a rough official figure of 100,000 at the time of writing, much more needs to be done for all those displaced if durable solutions are to be achieved in the overall context of developing the country as a whole as well as addressing extreme poverty.

63. Accessing durable solutions calls for strong leadership by the Government in the resolution of issues related to access to land and property, housing, justice and rule of law, including for women, which are issues that affect IDPs as well as other vulnerable segments of the population in Haiti. The plan of action launched on 13 May 2014 by the Government to reduce the extreme poverty affecting Haiti is an important move forward. The Special Rapporteur advocates that the policy must include IDPs as a target population. Internal displacement carries certain risk factors that can be mitigated through the development of such policies.

64. The Special Rapporteur adds that, without development through early recovery and diligent reconstruction, a majority of the population will not see their basic social and economic rights fulfilled and will continue to depend on humanitarian assistance indefinitely, although that will not be forthcoming in the present climate. According to the UNDP 2013 report on the Millennium Development Goals for Haiti, development aid in Haiti has increased from 167 million dollars in 1990 to 1.3 billion dollars in 2012, with a peak of 3 billion dollars following the 2010 earthquake.

65. In the past, faced with overwhelming humanitarian needs across the capital following the earthquake, many humanitarian actors sought to restrict their responses to camps, where needs were most visible and beneficiaries could be most conveniently reached in accordance with assistance models largely transposed from rural or armed conflict settings. At the time of his visit, in October 2010, the Special Representative on the human rights of IDPs deemed that approach practically and morally unsustainable. Four years later, the Special Rapporteur found that it had indeed become unsustainable, leading to measures to decongest the camps through rental subsidy as a transitional response, and to premature assertions as to the achievement of durable solutions.

66. With the majority of IDPs currently still living in their neighbourhoods, opting, as is their right, to return to their old homes is the logical choice for most. Certain

[26] Ibid., p. 13.

[27] Kim Thuy Seelinger and Laura Wagner, "Safe Haven: Sheltering Displaced Persons from Sexual and Gender-Based Violence — Case Study: Haiti," (UNHCR, Berkeley Law Human Rights Center), available from www.unhcr.org/51b6e2b29.html, p. 70.

neighbourhoods were so badly damaged that they had to be torn down and reconstructed. Using reconstruction to resolve questions of formal ownership and establish a coherent cadaster has been advocated. Some housing rights experts, including from UN Habitat, whom the Special Rapporteur met during his visit, advocated instead for an approach to reconstruction based on community enumeration. That process, which has been initiated in some neighbourhoods, establishes who physically occupied land at the moment of the earthquake by taking individual statements that are then completed and validated by the community, professionals and local authorities to certify ownership or, at least, possession.

67. There may be exceptional situations where the choice of return or local integration as durable solutions is restricted because conditions are too unsafe to permit returns or local integration in a specific location. The alternative therefore becomes resettlement elsewhere in the country. Some IDPs met by the Special Rapporteur during his visit clearly indicated their wish or strong desire to settle outside of Port-au-Prince, very often in their home province. However, the lack of livelihood opportunities has always been given as the main obstacle to such a solution. The Special Rapporteur notes that the projects launched by the Inter-American Development Bank in rural areas in sectors such as agriculture are examples of projects which could widen IDPs' prospects of livelihood opportunities and thus increase their chances of reaching durable solutions through settlement elsewhere in the country.

68. The Special Rapporteur notes that the official position has been that all camps should be closed sooner or later. As a result, humanitarian organizations, inter alia, have been hesitant to make sustainable investments in the camps that would be costly to reverse. Meanwhile, many decision-makers, mindful of how other informal settlements across the capital emerged, have started tacitly acknowledging that some of the unofficial sites in less central locations will become new permanent settlements, even if some of the inhabitants will eventually leave. Variations of that idea have been explored and taken up, from the integration of some camps into communities by the construction of homes (including through the facilitation and provision of technical assistance for self-building), public infrastructure and the provision of livelihood opportunities on site, to the provision of cleared title and "sites and services" to supplement displaced families' own investments in shelters.[28] Very often, "camp integration" happened spontaneously through the increasing involvement of private actors and other stakeholders and as a consequence of coping mechanisms developed by IDPs themselves who upgraded or extended the shelters they were living in. Such was the case at Radio Commerce (Cité Soleil), visited by the Special Rapporteur during his mission. IDPs have lived there for several years now and do not wish to be relocated. Moving them would amount to secondary displacement for them. The IDPs concerned have also become the "owners" of the T-shelters provided, when they were mostly renters before the earthquake.

69. The Special Rapporteur considers that camps are a means of enabling IDPs to integrate locally and achieve durable solutions only in cooperation with the Government and the concerned municipalities and if accompanied by proper urban planning (reaching security of tenure), with the full consultation of the IDPs living in those camps as well as the populations from surrounding neighbourhoods. He has witnessed the efforts made by some IOM and UN Habitat, inter alia, to reach that goal. During his mission, the Special Rapporteur had the chance to visit the site of Saint Etienne, Port-au-Prince, which will be integrated. The keys to success are tied to the principles of sustainability (economic and social), regeneration (urban upgrading) and resilience.

[28] Brooking-IOM study (see footnote 2), p. 26.

70. Reconstruction in the place of origin has not been the only option chosen. As mentioned previously, four different housing/shelter solutions had been opted for following the earthquake: (a) transitional shelters (T-shelters); (b) yellow house repairs; (c) permanent housing reconstruction; and (d) rental support cash grants. During his visit, the Special Rapporteur heard complaints from a variety of stakeholders on the negative consequences of having prioritized the provision of T-shelters over more permanent house construction. As already noted by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context in 2011, T-shelters can become an obstacle to reconstruction since they are installed on terrain which may be the property of others, and which is therefore not necessarily available for reconstruction and, in the Haitian context, which can become "permanent" although not secure and sustainable.[29]

71. During his visit, the Special Rapporteur noted that IDP participation in the reconstruction process had been crucially lacking. When discussing the issue with women IDPs met in and outside camp settings, the Special Rapporteur observed their lack of involvement in most decisions affecting them, whether in the areas of health, livelihood or housing.

72. Rental subsidies became the housing support intervention that was provided to the second-largest number of IDP households in Haiti (following the provision of T-shelters, the most common internationally supported intervention), and in 2012 became the primary intervention related to displacement. Under this model, IDPs leaving camps were provided with funds intended to cover one year's rent. The rental subsidy programme was premised on the recognition that by January 2012, some 78 per cent of IDPs remaining in camps were renters who lacked the funds to pay the obligatory one year of rent up front. IDPs met by the Special Rapporteur during his visit confirmed the general assessment made by members of the Protection and CCCM Clusters that, upon completion of the one-year rental subsidy, they were anxious at their probable inability to continue paying such rent after that year. According to an assessment made by UN Habitat in 2013, after one year, 75 per cent of the IDPs interviewed no longer occupied the rental accommodation identified and approved under the subsidy scheme, apparently mainly owing to the fact that the majority had not increased their income capacity in the meantime. It has also been observed that in some parts of the metropolitan area, IDPs are in competition with other vulnerable renters for the available housing stock.

73. Besides, it would seem that the technical support strategy to increase the rental housing stock as devised by the UCLBP is insufficiently supported and therefore difficult to implement.[30]

74. The Special Rapporteur thus reiterates that the rental subsidy policy which aims to help IDPs leave camps and find a place to rent in the neighbourhoods is a transitional measure to decongest the camps. Therefore, in order to be sustainable, this policy must be linked to livelihood and income-generating activities. It should also benefit the entire community in which IDPs are settled, including through enhanced access to basic services. In this regard, the Special Rapporteur welcomes the 16/6 programme launched by the Government and considers that the programme should be replicated provided it aims at addressing security of tenure, the right to work and the upgrading of the poorest neighbourhoods of Port-au-Prince. The Special Rapporteur urges the donor community to

[29] See communication from the Special Rapporteur on adequate housing, *"Communication fondée sur une visite de travail à Port-au-Prince"*, Haiti (8–11 June 2011).

[30] UN Habitat, "Improving the impact of rental subsidies", May 2013.

shift its attention from short-term solutions to long-term durable solutions benefiting IDPs and the entire community, and support the Government in such endeavours.

75. The Special Rapporteur commends the Government for its efforts to improve its Millennium Development Goal achievements through the economic development of the country, by halving extreme poverty rates and promoting an enhanced right to education for all. He calls on the Government, together with the donor community, humanitarian and development actors, and civil society to continue to monitor the impact of internal displacement dynamics on development in Haiti and ensure that all those who have been internally displaced find durable solutions. Progress in Haiti and the enhancement of human rights in the country are possible only if the issue of internal displacement is given enough attention as displacement dynamics impact urban growth in the country and hence economic development in urban centres. The Special Rapporteur therefore encourages concerted action by the Government, concerned municipal authorities, international stakeholders including development actors, and civil society to act jointly towards good governance and community empowerment through a shift towards a rights-based approach to development, an improvement in security of tenure, justice and rule of law, and in employment and access to basic services.

76. The Special Rapporteur welcomes the creation of sectorial platforms and inter-ministerial committees to coordinate development activities, but cautions that coordination still needs to become a reality both among line ministries and between the Government and international stakeholders. In addition, sectorial policies in all key areas such as water, sanitation, health, education, employment and agriculture should also extend to IDPs.

77. Consultation and participation of IDPs in processes that affect them should also be improved. The Special Rapporteur urges the Government to establish mechanisms to ensure IDPs' consultation and participation in decision-making, especially in the choices to be made between local integration, settlement elsewhere and return.

VI. Conclusions and recommendations

78. **Almost five years after the earthquake, the Special Rapporteur welcomes the efforts made by the Government with the support of the international community to address and end internal displacement in Haiti. Despite the reduction in the number of IDPs in camps and the closing of most of the camps, durable solutions have yet to be found for most IDPs. He cautions that closing camps does not mean that durable solutions have been found. Secondary displacement is the more likely consequence of such measures, which merely results in shifting the problem elsewhere.**

79. **The Special Rapporteur reaffirms the primary responsibility of the Government to work towards development rights-based approaches to alleviating poverty while incorporating durable solutions for IDPs. The long-term issues such as housing, land and the land tenure system, the integration of IDPs into local neighbourhoods (with a focus on housing, livelihood and access to basic services), the integration of sustainable livelihoods into the rental subsidy scheme for IDPs, as well as securing the most immediate needs related to sanitation and clean and safe water, have been identified as key priority areas for IDPs and the population at large in the search for durable solutions.**

80. **During his mission, the Special Rapporteur observed that unequal attention was paid to the above-mentioned aspects. While access to adequate housing is an essential component of a durable solution for IDPs, access to such a right does not suffice. The Special Rapporteur noted the engagement of the Government with key donors and development actors such as the World Bank and the Inter-American**

Development Bank to increase livelihood opportunities for IDPs as well as the most vulnerable segments of the population. Such efforts still need to be coordinated and the information shared with other actors such as civil society, humanitarian actors and IDPs themselves for a better achievement of comprehensive solutions.

81. Measures taken to achieve those durable solutions should remain under the strong leadership of the Government with the support of the international community and civil society; and in consultation with IDPs and their representatives. Informed by the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2) and the IASC framework on durable solutions, the Special Rapporteur addresses the following recommendations to:

82. The Government of Haiti:

(a) Insofar as IDPs in urban settings are often invisible and live among the urban poor, carry out a country-wide profiling and needs-based assessment to identify IDPs and their location and better address their needs, making a fair assessment of what is required to attain durable solutions and of whether camp closures have led to durable solutions in some respects; it should include an assessment of measures taken so far, such as of the impact of the 16/6 programme, other rental subsidy schemes, camp integration initiatives and any other initiative (including sites and services) aimed at reaching durable solutions for IDPs;

(b) Ensure the full participation of IDPs in all decisions that affect them, including in drafting laws and policies that address durable solutions for them; undertake broad consultation with communities and neighbourhoods to address their broader concerns (including protection concerns) with regard to return or local integration for IDPs, or settlement in another neighbourhood and how such measures can be best implemented in practice, in cooperation with host communities and the rest of the displacement-affected urban population;

(c) In particular, ensure that a clear housing policy is made publicly available, includes the participation of all those concerned and is adopted after IDP consultation; that such a policy provides for an action plan on security of tenure (including the establishment of a cadaster or the like) and a clear procedure for evictions, based on the law; the Special Rapporteur urges the Government to urgently halt any forced evictions from camps as well as in informal settlements until such time as durable solutions are found for all those who have been internally displaced;

(d) As recommended in his thematic report to the General Assembly (A/69/295, 61 (j)), establish transparent eligibility criteria for the allocation of land (rental or ownership) for IDPs in urban settings and ensure that, as a right to which they are entitled, IDPs have equal access to property if their means allow them to do so. In this regard, take affirmative-action measures for IDPs' access to land in urban areas along with other urban poor facing similar insecurity of tenure;

(e) As recommended in his thematic report to the general Assembly (A/69/295, 61 (n)), establish integrated planning informed by displacement dynamics. Urban development plans, poverty reduction plans, general urban planning and upgrading, including slum-upgrading, should include internal displacement-specific aspects and settlements. As a first step in the implementation of that recommendation, establish an interministerial committee to work on the urgently needed urban planning and the integration of IDPs and the urban poor, including in informal settlements such as Canaan, Jerusalem and Onaville;

(f) With the support of development actors such as the World Bank, the Inter-American Development Bank and the European Union, develop return and

resettlement incentives with regard to rural areas, accompanied by livelihood schemes and the development of rural areas as an alternative to urbanization;

(g) Ensure that IDPs are included in all development plans agreed between the Government and its development partners, and in all sectoral tables relevant to the IDP issue; with the support of development actors, develop tools to assess the impact of development on beneficiaries, including IDPs, and improve follow-up of relevant government programmes;

(h) In line with the recommendations of the Working Group on the UPR (A/HRC/19/19), strengthen the rule of law and good governance and guarantee equal access to justice for all, including IDPs, with a view to eradicating impunity and promoting justice for all in Haiti;

(i) In view of the cyclical vulnerability of Haiti to natural hazards, put in place a coordinated disaster risk preparedness plan of action in coordination with relevant international and national stakeholders; the plan of action should be drawn up in consultation with the local population and, in particular, IDPs, who may face secondary displacement;

(j) Launch a country-wide registration process aimed at ensuring that all IDPs have access to personal documentation; and in particular for them to be able to exercise their rights to vote and to access land;

(k) Strengthen the government response to the remaining humanitarian needs of IDPs in and outside camp settings.

83. The international community, United Nations agencies, other humanitarian and development actors, as relevant,

(a) Strengthen cooperation between humanitarian and development actors and with national authorities to ensure coherence in the response given to IDPs' needs; work jointly towards greater coherence and cooperation in finding durable solutions for IDPs;

(b) As recommended in the Special Rapporteur's thematic report to the General Assembly (A/69/295, para. 61 (x)), work more closely and effectively with municipal authorities, which are often the first point of contact with IDPs and know best what solutions work in Haiti; and also support government measures towards finding durable solutions for IDPs through carrying out regular profiling exercises, including in informal settlements with their participation; and undertake a study on mixed opportunities to reduce the risks facing IDPs in the areas of housing, access to livelihood and basic services, inter alia;

(c) Strengthen the coordinated response to the remaining humanitarian needs of IDPs in and outside camp settings, with regard to, for example, sanitation;

(d) In accordance with the Human Rights Due Diligence Policy on United Nations support to non-United Nations security forces, United Nations entities must refrain from supporting non-United Nations security forces where there is a risk of the receiving entities committing grave violations of international human rights law such as forced evictions, if and when those forced evictions are carried out in a repeated and systematic fashion, and where the relevant authorities fail to take the necessary corrective or mitigating measures. Similarly, if United Nations entities receive reliable information that provides substantial grounds to believe that a recipient of United Nations support is committing grave violations of international human rights law, the United Nations entity providing that support must intercede with the relevant authorities with a view to bringing those violations to an end. If,

despite such intercession, the situation persists, the United Nations entity must suspend support to the offending parties;

(e) Actively engage and advocate for a harmonization of funding cycles between humanitarian and development agencies so as to increase the chances of a smooth transition between the largely humanitarian approach adopted up to now in Haiti and a more development rights-based approach, needed to achieve durable solutions and eliminate extreme poverty for all in Haiti.